

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE MEDTRONIC, INC.
IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION

MDL NO. 05-1726 (JMR/AJB)

**REPORT RECOMMENDING
DISMISSAL WITHOUT PREJUDICE**

This documents relates to:
Centers et al. v. Medtronic, Inc., 0:07-cv-
00569

Plaintiffs, Kenneth and Lillie Centers, filed a claim against Defendant in the District of Minnesota on January 29, 2007. This case was joined with the above-referenced MDL. Since that time, the MDL has been dissolved due to settlement. Plaintiffs did not participate in the settlement. On April 8, 2009, Plaintiffs' attorneys filed a motion to withdraw as counsel citing a breakdown in the attorney-client relationship.

On May 7, 2009, this Court entered an Order to Show Cause why this Case Should Not be Dismissed requesting response from Plaintiffs Centers with fifteen (15) days. Plaintiffs failed to respond.

Accordingly, IT IS HEREBY RECOMMENDED that:

Plaintiffs claim against Defendant Medtronic, Inc., should be dismissed without prejudice.

Dated: June 2, 2009

s/ Arthur J. Boylan
Arthur J. Boylan
United States Magistrate Judge